

**THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

In re:

WESTMOUNT GROUP, LLC

Debtor.

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Case No. 21-30633-hcm

Chapter 11

**RESPONSE TO OBJECTION TO EMPLOYMENT
OF BARRON & NEWBURGER, P.C.**

TO THE HONORABLE JUDGE OF SAID COURT:

Westmount Group, LLC (the “**Debtor**”) hereby files this Response to Objection to Application to Employ Barron & Newburger, P.C.

General Response

The Objection does not address the requirements of 11 U.S.C. §327(a) that counsel for the Debtor-in-Possession not hold or represent an interest adverse to the estate and be a disinterested person. Instead, the application is an extended argument that the Debtor should not be a Debtor in Possession and the proposed counsel either assisted him or failed to stop him from making various transfers which occurred at or shortly after the time that counsel was employed to represent the Debtor in a state court matter. These are not grounds for denying employment of counsel.

Specific Responses

1. Debtor admits the allegations of para. 1.
2. Debtor admits that para. 2 is generally accurate in describing the state court suit.
3. Debtor admits the first sentence of para. 3. Debtor admits the allegations of para. 3(a)-(c) until the point that it states “at which PARSA contended the following.” The remainder of para. 3 is denied.

4. Debtor denies the allegations of para. 4. Mr. Sather has never filed a Petition for Writ of Mandamus in his life, much less related to this case.

5. Debtor admits the allegations of para. 5.

6. Debtor admits the allegations of para. 6 in part. There has never been an order for Westmount Group to deposit funds nor a deadline for doing so.

7. Debtor denies the first sentence of para. 7. The second sentence of para. 7 is rhetorical and does not require a response. Debtor admits the allegations of para. 7(a) and (b). Debtor denies the word “Surprise” in para. 7(c). Debtor admits that the schedules show a note to Montoya Park Place and that the security interest has not been perfected. Debtor is unable to admit or deny whether Parsa ever mentioned the Montoya Park Place note or whether there would have been cause to do so. Debtor denies the first sentence of para. 7(d). Debtor admits the remainder of para. 7(d). Debtor denies the allegations of para. 7(e). Debtor denies the allegations of para. 7(f). Debtor admits the allegations of para. 7(g).

8. Debtor admits that Mr. Kirk wrote to Mr. Sather and received the attached reply.

9. Debtor denies the allegations of para. 9.

10. Debtor denies the allegations of para. 10.

11. Debtor denies the allegations of para. 11.

Dated: October 5, 2021

Respectfully submitted,

BARRON & NEWBURGER, P.C.

/s/ Stephen W. Sather
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ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

By my signature below, I certify that on October 5, 2021, a true and correct copy of the foregoing document was served by United States Mail, first class, postage prepaid to the parties-in-interest listed on the attached matrix, or electronically by the Court's ECF noticing system on those parties-in-interest registered to receive such service.

/s/ Stephen W. Sather
Stephen W. Sather

Label Matrix for local noticing
0542-3
Case 21-30633-hcm
Western District of Texas
El Paso
Fri Sep 17 15:25:08 CDT 2021

Westmount Group, Inc.
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El Paso, TX 79902-5207

U.S. BANKRUPTCY COURT
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EL PASO, TX 79901-2417

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City of El Paso
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End of Label Matrix
Mailable recipients 16
Bypassed recipients 0
Total 16